

Town of West Bath Selectmen Meeting Minutes January 14, 2019

Town of West Bath	Madelyn Hennessey, Chair	- Present
Board of Selectmen:	Kathleen Lavallee	- Present
	Peter Oceretko	- Present
Town Staff:	Kristine Poland, Town Administrator Karly Perry, Town Clerk Steve Renaud, Road Commissioner Ellis Reed, Codes Enforcement Officer	
Public:	Ben Goodall, Jeremie Whorff, David Hennessey, Tracy Renaud John Travis Jr., Marc Travis, Steve Caswell, Chris Bruce	

A meeting of the West Bath Board of Selectmen was held **Monday, January 14th, 2019 at 5:30 pm** in the Selectmen's meeting room of the West Bath Town Hall, 219 Fosters Point Road, West Bath.

- I. Call to Order at **5:30 pm**
- II. Attendance and Establishment of Quorum **Yes**
- III. Pledge of Allegiance was said.
- IV. CONSENT AGENDA
 - 1. Approval of Minutes:
 - a.) December 10, 2018 Board of Selectmen Meeting
 - 2. Approval of Warrant(s):
 - a.) Municipal
 - b.) School Department
 - 3. Upcoming Board of Selectmen Meeting(s):
 - a.) Monday, January 28, 2019 at 5:30pm at the West Bath Town Office

Selectman Oceretko moved to approve consent agenda, minutes, and upcoming meeting(s) as presented, seconded by Selectman Lavallee. Selectmen unanimously approved
- V. SELECTMEN COMMENTS/ANNOUNCEMENTS: NONE
- VI. CITIZEN'S COMMENTS: NONE
- VIII. BUSINESS ITEMS
 - 1. **Road Commissioner, Winter Road Maintenance**

Steve Renaud, Road Commissioner, asked who is accountable for material in the sand and salt shed. He went on to state that there are no slips tracking the amount of sand or salt delivered to the town.

Kristine Poland, Town Administrator reviewed the current policy, noting that the Selectmen need to clarify duties and determine the authority of the Road Commissioner.

Mr. Renaud went on to detail an increase of \$54,000 in sand and salt, to which Selectman Hennessey confirmed that the bids for sand and salt had increased over the last year. Mr. Renaud stated that the current road budget cannot sustain this level of spending.

Ben Goodall noted that his company, Goodall Landscaping, was awarded the contract and assured the Selectmen that he delivered the amount requested in the bid package. Mr. Goodall went on to state that the contract had no stipulations as to invoicing the delivery.

Board of Selectmen Meeting Minutes
Monday, January 14, 2019

Mr. Renaud voiced further concern in a lack of oversight by the Selectmen. Selectman Lavallee noted that the absence of a Town Administrator may have caused oversight in accountability.

Mr. Renaud complimented Goodall Landscaping on the condition of the roads, stating that he thought they were doing an outstanding job. Mr. Renaud then clarified that his concern is that the town cannot sustain this level of service with the current budget.

Mrs. Poland agreed that she would not endorse using this contract for winter road maintenance in the future. Discussion followed regarding the amount of salt used on the roads and complaints received from residents.

Mr. Goodall stated that while it is his belief that salt is being used appropriately, he understands the budgetary concerns of Mr. Renaud and is willing to work with the town. Mr. Goodall continued to state that it was his understanding when the contract was put out to bid that the town wanted more salt used on roads. Steve Caswell of Goodall Landscaping explained how sand is mixed and assured the board that he is not using straight salt on the roads, also noting that in his experience, salt usage has actually been less than that used by other contractors in neighboring towns.

David Hennessey stated that a workshop should be held so that all interested parties can discuss maintenance of roads. The Selectmen agreed to hold a workshop in order to further discuss road maintenance, and in order to allow input from those not currently in attendance.

Selectman Hennessey opined that residents are happy with the condition of the roads, and until the workshop the Town should continue to allow the contractor to treat roads in the usual manner.

Selectman Lavallee stated for the record that it is unacceptable to process invoices without receipts.

Mr. Renaud voiced frustration that the Selectmen are willing to continue supplying salt and sand without reservation. He also stated that the previous Town Administrator did not involve him in road discussions leaving him shut out from the budgeting and decision-making process. Mrs. Poland acknowledged that the Selectmen will need to better define roles for the Road Commissioner.

Discussion followed regarding when to meet for a workshop. Selectmen agreed to hold the workshop Thursday, January 17, 2019 at 5:00 pm.

Mr. Renaud clarified that his issue is not with the contractor, complimenting Goodall on the work he has done maintaining the roads. Mr. Renaud stated his concern is with the roads budget and that it is unclear who the contractor answers to when it comes to advising on salt usage. Selectman Hennessey acknowledged that there are many discrepancies with town policies and employee duties, which the Selectmen will be addressing moving forward.

Tracy Renaud stated for the record that while Mr. Renaud does not hold office hours, he is in constant communication with the Town Administrator by phone and email and remains informed on road issues.

Jeremie Whorff brought up questions regarding Wing Farm Road, noting that West Bath has both water and septic services that will need to be addressed. Mr. Renaud agreed and voiced concerns over the heavy construction traffic causing damage to roads as well. Mrs. Poland agreed that these issues need to be researched proactively.

2. Sabino Road and Birch Road, status updates

Mrs. Poland recalled her conversation with Pine Tree Engineering, noting that the price estimate of \$227,000 for Sabino Road is still valid and the grant has been extended until October 2020.

Mrs. Poland went on to state that the price estimate given for Birch Point in July 2019 was either not approved or the approval was not conveyed to Pine Tree Engineering, therefore they have not moved forward. **Selectman Oceretko moved to reapprove the estimate for Birch Point Road given by Pine Tree Engineering, seconded by Selectman Lavallee. Selectmen unanimously approved.**

Board of Selectmen Meeting Minutes
Monday, January 14, 2019

Mr. Hennessey asked if permitting had been completed for Sabino Road. Mrs. Poland stated that Pine Tree Engineering relayed to her they are in the permitting process, however no dates for completion were given.

Selectman Oceretko asked if anything else was necessary to extend the grant funding for Sabino Road. Mrs. Poland confirmed that the grant has been extended through October 2020 for work to be started.

3. Hill Road excavation request

Mr. Whorff reviewed for the board a property on Hill Road currently using a septic holding tank. The owners would like to install a septic system for year-round use of the property, which would entail placing a septic system across Hill Road.

Mrs. Poland reviewed a town policy that restricts excavation of a road within a five-year period of paving. She advised that the Selectmen that they may still approve the project, as long as the contractor complies with 22 M.R.S.A. §3351-A.

Selectman Oceretko asked if the tank was legal. Ellis Reed, Codes Enforcement Officer stated that the tank is legal, but he would highly recommend approving the septic replacement before the tank fails.

Selectman Hennessey asked if the road can be restored to its current condition. Mr. Renaud insisted that the road should be restored to its previous condition with a requirement that the contractor finish out the residual two years of new road maintenance.

Selectman Oceretko noted that while the road policy is sound, the Comp Plan seeks to remove all overboard discharge systems from West Bath and therefore he supports the Code Officer's recommendation. Selectman Hennessey agreed that this is the time to make the exception and suggested Mrs. Poland draw up an excavation permit for the next meeting.

Selectman Oceretko moved to allow an exception to policy for road work on Hill Road and directed the Town Administrator to prepare an excavation permit for Jeremie Whorff, seconded by Selectman Lavallee. Selectmen unanimously approved.

4. West Bath Development Corporation, status

Mrs. Poland presented her research with the Maine Bureau of Corporations, who states that the West Bath Development Corporation has been administratively dissolved and is no longer a recognized corporation. Mrs. Poland recommended that the Selectmen recognize the dissolution, or will otherwise need to reinstate the corporation for the supervisory role of Wing Farm Road (which would require re-applying with the State).

Discussion followed regarding Wing Farm Road, which Mrs. Poland stated is a town road, however the town is responsible for drainage only, and does not plow or otherwise maintain the road.

Mr. Renaud voiced concern regarding road maintenance for prolonged dirt work taking place on the property. Selectman Hennessey stated that she believes the property owner has a contract with Crooker & Sons regarding maintenance, although she conceded that this should be researched further.

Selectman Oceretko moved to officially recognize the dissolution of the West Bath Economic Development Corporation, seconded by Selectman Lavallee. Selectmen unanimously approved.

5. Midcoast Humane, agreement for services

Selectman Hennessey presented a new contract for Midcoast Humane Society regarding animal control services, which will increase the cost of services from \$1.00 to \$1.15 per capital in 2019 and to \$1.30 in 2020. **Selectman Lavallee moved to approve the contract extension for Midcoast Humane Society as presented, seconded by Selectman Oceretko. Selectmen unanimously approved.**

Board of Selectmen Meeting Minutes
Monday, January 14, 2019

6. Six Rivers New England Mountain Bike Assoc., memorandum of understanding.

Selectman Hennessey presented the proposed memorandum of understanding and noted that the association did not have representation at the meeting. The selectmen agreed to table discussion until a representative is available for questions, also noting that the West Bath ATV club should be invited to participate in the discussion as well.

7. Comprehensive Plan Committee and Election Clerk appointments

Selectman Hennessey presented appointment papers for Jeremie Whorff who has volunteered for the Comprehensive Plan Committee, and Dawn Lee, who has volunteered as an election clerk. Selectman Oceretko thanked both for their volunteerism and expressed gratitude on behalf of the town.

Selectman Oceretko moved to appoint Jeremie Whorff to the Comprehensive Plan Committee, and Dawn Lee as an election clerk, seconded by Selectman Lavallee. Selectmen unanimously approved.

8. Annual Financial Audit

Mrs. Poland announced that she had received a preliminary audit, but a final audit has not yet been completed. Selectman Hennessey suggested, per previous discussion, that it may be appropriate to put together a request for bids on audit services. Selectman Hennessey further expressed her opinion that the town has not received satisfactory or timely service. Mrs. Poland noted that a fresh perspective could be beneficial as well.

Selectman Oceretko moved to prepare a request for proposals for audit services, seconded by Selectman Lavallee. Selectmen unanimously approved.

9. Other

Mrs. Poland reviewed concerns within the current Land Use Ordinance, which refers to a Building Inspector and occupancy permits. Mrs. Poland suggested that this language should be removed, as the town population is currently below the threshold required by law to issue building inspections. Selectman Hennessey agreed that this should be discussed in a Planning Board Workshop, and further encouraged the Selectmen to hold a workshop with the Planning Board.

Mr. Hennessey asked about boats left behind by at town waters. Karly Perry, Town Clerk, reported that she had reached out to Doug Alexander, Shellfish Warden, who stated that there were no boats at the town land at New Meadows Lake and all boats at Mill Pond were on land, which is private property. Mr. Hennessey insisted that there are boats frozen into Mill Pond.

IX. EXECUTIVE SESSION:

Selectman Lavallee moved to enter into Executive Session pursuant to Title 1 M.R.S.A. §405 (6) (A) for the purpose of discussing personnel, seconded by Selectman Hennessey. Selectmen unanimously approved.

Selectmen entered into Executive Session at 6:53pm. Executive session completed at 7:40pm.

X. ADJOURNMENT

Meeting adjourned at 7:41 pm by unanimous acclamation.

A true attested copy,

Karly A. Perry, Town Clerk